THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.9542 OF 2006

DATED: 26-04-2007

BETWEEN

Kaukuntala Sultan,
S/o. Peddaiah,
R/o. H.No.114/136,
Anjaiahnagar,
Serilingampally Mandal,
Hyderabad.

...PETITIONER

AND

The Commissioner of Police,
Cyberabad, Hyderabad and
two others.

...RESPONDENTS

ORDER:

Petitioner submits that he sold away a house-site bearing plot No.887, Siddiqui Nagar, Gachibowli Village, Serilingamaplly Mandal, Ranga Reddy District to the third respondent on 10.05.2001 for a consideration of Rs.46,000/- and also delivered possession. While so, the second respondent called him to the police station and threatened him with dire consequences in front of the third respondent and directed him to pay Rs.90,000/- to the third respondent and take back the house site. He further submits that the dispute between him and the third respondent is purely civil in nature and the police has nothing to do with the said dispute. Therefore, the second respondent cannot insist upon him to pay any amount to the third respondent and the said action is without any justification whatsoever.

2. Though notice before admission has been ordered on 02.05.2006, no instructions have been obtained on behalf of the respondents.

3. I am of the opinion that if any complaint has been filed against the petitioner by the third respondent stating that the petitioner has committed a cognizable offence, it is open for the respondents 1 and 2 to register a crime and take appropriate action but the respondents cannot interfere with the civil disputes of the petitioner and the third respondent without there being any complaint and without any case being registered against him.

Having regard to the facts and circumstances of the case,
the writ petition is disposed of directing the respondents 1 and 2 not to interfere with the civil disputes between the petitioner and the third respondent. However, if there is any complaint alleging that the petitioner has committed a cognizable offence, it is open to the respondents 1 and 2 to register the crime and take appropriate action in accordance with law. There shall be no order as to costs.

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V. ESAWARAIAH, J

April 26, 2007
DSK